

	rc	Required Attachments/ Submittals for:
	1.	JI The state of the property (as property).
		recorded deed is sufficient, if the deed describes only the subject property.
	2.	Cabarrus County Land Records print out of names and addresses of all
		immediately adjacent landowners, including any directly across the street.
	3.	If applicable: 6 copies of a plan drawn to scale (conditional district plan) for the
		initial submittal to be reviewed by internal City Staff. 16 folded copies, with all
		plan review comments address, are required to be submitted for Planning and
-		Zoning Commission meetings. (Check with staff for final submittal dates)
	4.	Money Received by Date:
		Check # Amount: \$ 500.00 Cash:
		The application fee is nonrefundable.
	**	** If any of the above requirements are not presented at
	th	e time of submittal of application, the application will not

be accepted due to incompleteness. ***





(Please type or print)

Note: A variance is not a right. It may be granted to an applicant, only if the applicant establishes compliance with the hardship criteria established in NCGS § 160A-388(d).

Applicant Name, Ac	ddress, Telephone number: Glenn & Iris Wise	
	Rd Kannapolis NC 28083	
704-791-3429		
Owner Name, Addre	ress, Telephone number: Same as above	
Project Location/Ad	ldress:	
154 Crowell Dr SV	W Concord NC 28025	
P.I.N.: 562084090	030000	
Area of Subject Prop 0.072	perty (acres or square feet):	
Lot Width:	Lot Depth: 83.26'	
Current Zoning Clas	ssification: RC	
Existing Land Use:	Residential	
Description of Use F	Requested:	
Residential		



Application for	
Variance	

Variance Request

I, Glenn & Iris Wise	, hereby petition the Board of
Adjustment for a variance from the literal provision	ons of the City of Concord Development
Ordinance because under the interpretation given	to me by the Zoning Administrator, I am
prohibited from using the parcel of land described	in this application, in the manner that I
have proposed. I request a variance from the follo 154 Crowell Dr SW Concord, NC 28025 be p	
154 Crowell Dr SW is a single family home in	cluded on a lot with two duplexes (138-144 Crowell
(138-144 Crowell Dr SW) and another single	family 218 Kluttz Ct. We are requesting
to subdivide the following addresses into their	r own lot, 154 Crowell Dr, 138-144 Crowell 218 Klut
So that the above-mentioned property can be used The property will continue to be utilized as a r	
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Factors Relevant to the Issuance of a Variance

The Board of Adjustment has limited discretion in deciding whether to grant a variance. In order to determine whether a variance is warranted in a particular case, the applicant must present the facts addressing four (4) criteria. Providing evidence supporting these conclusions is the responsibility of the applicant. Below, indicate facts to convince the Board of Adjustment that these criteria are met:

- 1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property:

 The Wise's intend to gift the single family residence to their grandchildson however without the variance this will not be possible. A strict application of the ordinance would further prevent the Wise's from the abilty to sell and/or improve the property across the street.

 In order to build and/or improve across the street with a strict application of the variance 154 Crowell Dr would ultimately need to be torn down.
- 2. The hardship results from conditions that are peculiar to the property, such as the location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

The location of the property is on the opposite side of the majority of the buildings and land included in the parcel. 154 Crowell Dr SW is located on the South side of Kluttz and on the corner of Crowell & Kluttz. 138-144 Crowell Dr SW is on the North side of Kluttz and the corner of Crowell & Kluttz. 218 Kluttz is on the North/West side of Kluttz. 154 Crowell Dr SW is limited in meeting the ordinance standards to lot size and set backs due to the public road and adjacent lot.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

The buildings 138-144, 154 Crowell Dr SW and 218 Kluttz Ct where built (1930s) prior to the City's current oridances. The Wise's family have owned these parcels since (1970) prior to the current set backs set in place.



4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Approving a variance for 154 Crowell Dr to be set on its own parcel will further allow the lot across the street to be utilized to provide high-denisty residential homes. A strict application of the variance will limit any further improvement to the parel in its entirety. It will also allow the single family home to be further in line with the currenty standards as the other buildings on the lot are not attached meeting the lot standards.



The Board of Adjustment is not empowered to grant a variance without an affirmative finding of fact on all four (4) criteria above. Each finding of fact shall be supported by substantial evidence in the record of proceedings before the Board.

Under the State Enabling Act, the Board is required to take the evidence presented by the applicant and reach three (3) conclusions before it issues a variance. Below, indicate facts supporting these conclusions:

1. That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Ordinance:

Article 7.6.2. states that RC zoning requires 0.5 ration with a minimum front back of 24', side of side of 7' and back 5'. 154 Crowell is set back 11.8' from Crowell Dr SW. The side of the home is on a corner but the closet point to Kluttz Ct for side set back is 5'.and 5'7" to the ajacent lot line. This limits the ability to subdivide the lot in accordance with the current zoning standards. Further improvements on the current parcel would require the structures to be attached however the public road prohibts the ability to utilize the remainder of the land.

- 2. That the variance is in harmony with the general purposes and intent of the Ordinance and preserves its spirit:

 The intent of the ordinance is to create transition from low to high density is still maintained as there is not a plan to modify or construct anything further on 154 Crowell Dr SW Concord, NC. Furthermore approving the variance will allow the other buildings and property across the street further meet the oridnance standards.
- 3. That in granting the variance, the public safety and welfare have been assured and substantial justice has been done:

The variance of allowing 154 Crowell Dr to on its own individual lot will not affect public safety as no further construction or modification to the building is proposed.

The building has been existing for 90+ years and has not demonstrated a public safety issue.



The Board may also impose reasonable conditions upon the granting of any variance to insure that the public health, safety, and general welfare shall be protected and substantial justice has recently will continue to be utilized as a residential home.

**Calls or conversations with Board members prior to the meeting cannot be considered in the final decision and may result in the Board Member's recusal due to a conflict of interest. If adjacent property owners are to testify on behalf of the applicant, they must be present. Petitions and written consent may be accepted by the Board, but they cannot be used as a basis for the decision.

Certification

I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Planning & Neighborhood Development Department.

Date: 04-(7-202)

Applicant Signature:



	Staff Us	se On	ly:			
1.	1. Scheduled for Planning and Zoning Com	amissi	on con	sideratio	on:	
	Date:, 20 Time	e:			Location:	
2.	2. Date advertised, written notice(s) sent, an	ıd proj	perty p	osted: _		,
	20					
3.	3. Record of Decision: Motion to: App	prove	I	Deny		
4.	1. Members vote:	Yea	Nay			
5.	8 8 8	ımend	ation:	Ap	prove _	Deny
	If denied, was an appeal filed?					
6.	. Applicant notified of Commission action:	:				
				_		
7.	Comments: (see Minutes for details):					